



An
Coimisiún
Pleanála

Commission Order
ACP-323492-25

Planning and Development Act 2000, as amended

Planning Authority: Cork County Council

Planning Register Reference Number: 254324

Appeal by Terence and Sinead Eade of 21 Eltins Wood, Kinsale, County Cork against the decision made on the 31st day of July 2025, by Cork County Council to grant, subject to conditions, a permission to Damien Hanrahan care of Anthony Hayes Architects of 8 Springmount, Kinsale, County Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission for (1) the reduction in in the size of the existing garden and curtilage to the existing dwelling house (number 26) and the relocation of the existing car parking spaces; (2) the construction of a new attached dwelling house and associated site works; and (3) all associated site development works at number 26 The Orchards, Ballynacubby, Kinsale, County Cork.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the nature of the proposed development, the proposed residential use on the site; the design, nature and scale and character of the proposed development and to the policies and objectives of the Cork County Development Plan 2022-2028, as well as national guidance including Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, 2024, it is considered that, subject to compliance with the conditions set out below, the proposed development would not have a significant adverse impact, would not detract from the character of the area, and would not seriously injure the amenities of adjacent residential property and is otherwise supported by policy for compact growth. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 11th day of July 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried

out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interest of sustainable drainage.

3. Prior to the commencement of development, the developer shall enter into a connection agreement (s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

4. All service cables associated with the proposed development, such as electrical, telecommunications and communal television, shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

5. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

6. (a) The developer shall submit, for the agreement of the planning authority, a numbering scheme to serve the proposed development.
- (b) The planning authority shall approve the naming of residential developments in order to avoid confusion with similar names in the locality and other locations.

Reason: In the interests of orderly street naming and numbering; to enhance urban legibility and to retain local place name associations.

7. Prior to commencement of works, the developer shall submit to, and agree in writing with, the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.


Patricia Calleary

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this 01 day of December 2025